

*Erika López Prater, Ph.D.*

*v.*

*Trustees of the Hamline University of  
Minnesota*

EXHIBIT 5 TO NOTICE OF REMOVAL

LOCAL

# Hamline University, former art history instructor jockey over which court should hear lawsuit

The St. Paul university wants the case heard in federal court, while the instructor's attorneys want it heard in state court.

By Liz Navratil (<https://www.startribune.com/liz-navratil/6370437/>) Star Tribune |

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Lawyers for Hamline University and a former art history instructor who showed images of the Prophet Muhammad in class are jockeying over whether [her case](https://www.startribune.com/art-instructor-who-showed-images-of-prophet-muhammad-in-class-sues-hamline-university/600244244/?refresh=true) (<https://www.startribune.com/art-instructor-who-showed-images-of-prophet-muhammad-in-class-sues-hamline-university/600244244/?refresh=true>) should be heard in state or federal court.

In a series of filings this week, the case brought by former instructor Erika López Prater moved from state court to federal court and back again.

"This isn't over," said David Redden, an attorney representing López Prater.

The lawsuit stems from a series of incidents that placed the St. Paul private university at [the center of an uncomfortable debate](https://www.startribune.com/hamline-university-lands-at-center-of-academic-freedom-debate-over-islamic-artwork-shown-in-class/600242098/) (<https://www.startribune.com/hamline-university-lands-at-center-of-academic-freedom-debate-over-islamic-artwork-shown-in-class/600242098/>) over academic freedom, religious tolerance and Islamophobia.

During a virtual class session in October, López Prater showed two centuries-old artworks that depicted the Prophet Muhammad receiving revelations from the angel Gabriel that would later form the basis for the Qur'an.

Scholars and religious leaders have [sometimes disagreed](https://www.startribune.com/national-local-muslim-groups-take-differing-stances-on-hamline-university-response-to-art-dispute/600243376/) (<https://www.startribune.com/national-local-muslim-groups-take-differing-stances-on-hamline-university-response-to-art-dispute/600243376/>) about whether Islam permits depictions of the Prophet Muhammad. Some Muslims argue that images are strictly prohibited to avoid idolization. Others have images of the prophet in their homes.

A student in the class, Aram Wedatalla, president of the Muslim Student Association, contacted administrators to raise concerns. The university had been in discussions with López Prater about teaching another course in the spring semester but decided not to renew her contract.

Instructors around the globe rallied in support of López Prater, arguing that she had done more than most professors to prepare her students for the images and to give them the option to opt out of seeing them.

López Prater noted in the syllabus that she planned to show images of holy figures, mentioning the prophet as an example. She told the Star Tribune she spent "at least a couple minutes" preparing students for the image during class. Wedatalla said she heard López Prater give a "trigger warning," wondered what it was for "and then I looked and it was the prophet."

In early November, the university's Office of Inclusive Excellence sent a campus email saying actions taken in the class were "undeniably inconsiderate, disrespectful and Islamophobic" — a statement debated by some Muslim scholars and advocacy groups.

López Prater filed a lawsuit in the state court system last month, accusing the university of defamation, religious discrimination and breach of contract, among other things. Hamline University filed paperwork this week seeking to move the case to federal court and a judge there dismissed the case on Thursday, at the request of López Prater's attorneys.

"Hamline wanted to change the venue from state court to federal court, and we took



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Hamline University in St. Paul drew international attention after administrators decided not to renew the contract for an

exception to that," Redden said.

Redden said they served the university on Thursday with additional paperwork seeking to restart the case in state court. It outlines many of the same allegations, but they dropped the breach of contract allegation.

Mark Berhow, an attorney representing the university, said, "We will carefully review any new complaint and respond accordingly."

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**Liz Navratil** covers higher education for the Star Tribune. She spent the previous three years covering Minneapolis City Hall as leaders responded to the coronavirus pandemic and George Floyd's murder.

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